



Docket No.: N9810.0030/P030
(PATENT)

IP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Harry A. Dugger, III et al.

Application No.: 10/671,710

Confirmation No.: 2023

Filed: September 29, 2003

Art Unit: 1616

For: BUCCAL, POLAR AND NON-POLAR
SPRAY CONTAINING SUMATRIPTAN

Examiner: M. Haghigian

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

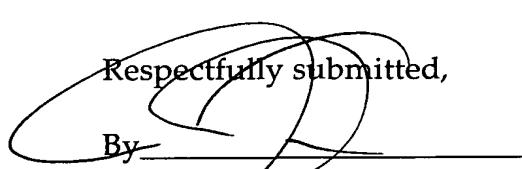
In response to the restriction requirement set forth in the Office Action mailed February 2, 2006, Applicants hereby provisionally elect Group I, claims 1-11, 24-31, 44-53, 63, 65, and 67 for continued examination without traverse.

The Examiner has required restriction between Group I, claims 1-11, 24-31, 44-53, 63, 65 and 67, drawn to a propellant free composition; and Group II, claims 12-23, 32-44, 54-62, 64, 66 and 68, drawn to a composition containing a propellant.

Applicants expressly reserve the right to file a divisional application directed to the claims of Group II.

Dated: 2/22/06

Respectfully submitted,

By 

James W. Brady, Jr.

Registration No.: 32,115

DICKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorney for Applicant